

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Applicants initially note that an Information Disclosure Statement (IDS) was filed on July 10, 2001, citing five documents (AK-AM, AS and AT) and an International Search Report (Form PCT/ISA/210). The documents cited in that IDS at this point has not been acknowledged as considered. Applicants respectfully request that the filed IDS be formally acknowledged as considered in the next Office Action.

Also, Applicants note the specification is amended by the present response to correct an inadvertent error. Specifically, the term “My Select package” was corrected to “filtering package” at page 30, line 19. The correction made is deemed to be self-evident from the description in the present specification at page 30, lines 17-21, for example, and thus is not deemed to raise any issues of new matter.

Claims 41-43 and 48-68 are pending in this application. Claims 41-43 and 48-66 are amended. Claims 67 and 68 are added by the present response. Support for the amended Claims 41, 48, 53, 55, 60 and 62 is found in the present specification at page 30, line 1 to page 31, line 12, page 50, line 13 to page 51, line 10, and Fig. 9, for example. Claims 41-43 and 48-66 are further amended to correct minor informalities, to clarify subject matter recited, and to better comply with U.S. claim drafting practice. New Claims 67 and 68 each include features similar to those recited in Claims 41 and 53. Applicants submit that no new matter is introduced.

In the outstanding Office Action, Claims 41-43 and 48-66 were rejected under 35 U.S.C. §103(a) as unpatentable over Bieganski, et al. (U.S. Patent No. 6,412,012, herein “Bieganski”) in view of Medina, et al. (U.S. Patent No. 6,959,288, herein “Medina”). Applicants respectfully traverse the rejection of Claims 41-43 and 48-66 by present response.

Independent Claim 41 is directed to an information processor and amended to now include features as follows:

a selecting unit configured to select a content from the group of contents based on the weight computed by the computing unit and to create ***at least two filtering packages based on the at least two filtering data sets***, wherein each of the at least two filtering packages includes information identifying the content selected, and ***the information identifying the content is capable of being shared by the at least two filtering packages so as to allow the content to belong to both the at least two filtering packages at any given time***[.]

For example, referring to the non-limiting embodiment of the present invention described in the specification, the two filtering packages titled “Ten best pops” and “Ten Best rock ‘n’ roll’s” are created based on the corresponding filtering data sets. Each of the two filtering packages includes the information, such as the song ID, identifying the song selected by the selecting unit based on the weight computed by the computing unit. Because the information of the song, such as the song ID, can be shared by the two filtering packages titled “Ten best pops” and “Ten Best rock ‘n’ roll’s,” the song can belong to both “Ten best pops” and “Ten Best rock ‘n’ roll’s” at any given time.¹

The outstanding Office Action asserts that the combined teachings of Bieganski and Medina disclose all of the limitations of Claim 41. However, it is respectfully submitted that the combined teachings of Bieganski and Medina fail to teach or suggest all of the limitations of Claim 41 as currently written.

In this regard, the invention described in Bieganski is directed to an electronic processing system for generating a compatibility-aware recommendation output set to a user based, at least in part, on a set of item compatibility rules.² Nevertheless, Bieganski fails to teach or suggest that the selecting unit creates ***at least two filtering***

¹ See the present specification at page 30, line 1 to page 31, line 12, page 50, line 13 to page 51, line 10, and Fig. 9, for example.

² See Abstract of Bieganski, for example.

packages based on the at least two filtering data sets, and that the information identifying the content is capable of being shared by the at least two filtering packages so as to allow the content to belong to both the at least two filtering packages at any given time.

With regard to Medina, what Medina describes is a digital content preparation system that includes a metadata acquisition tool for acquiring metadata associated with the digital content, and a digital content processor for processing the digital content by performing at least one of watermarking, encoding, and encryption.³

Medina fails to teach or suggest that the selecting unit creates *at least two filtering packages based on the at least two filtering data sets, and that the information identifying the content is capable of being shared by the at least two filtering packages so as to allow the content to belong to both the at least two filtering packages at any given time.*

Therefore, even considering the cited references of Bieganski and Medina together, only the present specification teaches the features of Claim 41 in which a selecting unit selects a content from the group of contents based on the weight computed by the computing unit and creates *at least two filtering packages based on the at least two filtering data sets*; each of the at least two filtering packages includes information identifying the content selected; and *the information identifying the content is capable of being shared by the at least two filtering packages so as to allow the content to belong to both the at least two filtering packages at any given time.*

Therefore, the combined teachings of the cited references are not believed to render obvious the features of the invention recited in Claim 41.

³ See Abstract of Medina, for example.

The combined teachings of the cited references are also not believed to render obvious the features of the invention recited in Claims 48, 53, 55, 60 and 62 at least for the above reasons advanced for amended Claim 41 to the extent that Claims 48, 53, 55, 60 and 62 are amended similarly to Claim 41.

Accordingly, Applicants respectfully request the withdrawal of the rejection of independent Claims 41, 48, 53, 55, 60 and 62, and the claims dependent therefrom, based on the combined teachings of Bieganski and Medina.

Further, new independent Claims 67 and 68 are considered distinguishable over the combined teachings of the cited references at least for the above reasons advanced for amended Claim 41 to the extent that Claims 67 and 68 each include features similar to those recited in Claim 41 as discussed above.

It is noted that new independent Claim 67 includes the features of the computing unit similar to Claim 41 with modification. Specifically, Claim 67 recites the features of the computing unit as follows:

a computing unit configured to compute per each of the contents a weight related to a number of transferring each of the contents to a device connected to the information processor, the weight being computed based on both the history data and one of the at least two filtering data sets[.]

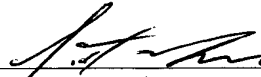
New independent Claim 68 recites the features of the computing similar to the above features of the computing unit recited in Claim 67. Support for such recitations is found in the present specification at page 8, lines 3-13, for example.

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As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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